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SIR C. SANKARAN NAIR, KT., C. I. E.

It has not been the tradition in Madras for Indian Judges of the High Court to retire into rest and leisure, Sir Subramanya Aiyar (who is happily still with us) being the sole exception. Sir Sankaran Nair has laid down the high office that he has held now for nearly eight years, only to enter upon another office no less exalted, upon new duties no less responsible, to which it has pleased his Sovereign to call him. It is thus not time yet to review his public life; but his retirement from the High Court, which may well be taken to mark the end of a thirty-five years' connection with the administration of justice in this Presidency seems a fitting occasion for appraising the value of the share he has borne therein.

After a distinguished academic career, Mr. Sankaran Nair was enrolled as a Vakil of the High Court in 1880; and he remained at the Bar for more than a quarter of a century, during which period (besides having been a Munsif for a short time in the early eighties) he acted as Government Pleader on more than one occasion and finally became Advocate-General of Madras. As an Advocate, his ideals and ways seemed more akin to those of the English Barrister than of the Indian Vakil. He was not of what may be called the 'digest type' of lawyer and rarely indulged in citations of authority except when they were strictly relevant; but he was known for clearness and force of argument, if not for the monumental industry or deep and laborious erudition of some of his older and younger rivals. With compeers like Messrs. Bhashyam Iyengar and Subramanya Aiyar in the earlier days and Messrs. Krishnaswami Aiyar and Sundara Aiyar in later days,

it should have been no easy matter for Mr. Sankaran Nair to acquire and maintain a reputation in the profession ; but he did attain a marked measure of success and for many years commanded a lucrative practice.

Sir Sankaran Nair, however, owed his position and influence in public life, not so much to success at the Bar as to his activities in other spheres. An earnest student of politics and economics, he early interested himself in every movement that concerned the social and material progress of his countrymen. As the acknowledged leader for many years of educated opinion on the West Coast, as a strenuous advocate of reform, political, social and legal, as a critic alike well-informed and out spoken, of men and things, whether high or low, he soon became a force not lightly to be disregarded. Amongst his varied pursuits (in the early nineties of the last century) were his work as Editor of the 'Madras Review' and his share in the starting of this journal, though his connection, in either case, was of comparatively short duration. At the early age of 32, he was nominated a member of the Madras Legislative Council and he continued to sit there for several years. His tenure of membership there is, of course, associated with that unsuccessful experiment in social legislation, the Malabar Marriage Act ; but it synchronised with the eventful period during which the political experiment heralded by Lord Cross's Act was under trial and on its success the future of the Indian Councils depended. In 1897, Mr. Sankaran Nair was honoured with the presidency of the Indian National Congress, he being, if we are not mistaken, the youngest of those called upon to preside over the deliberations of that body.

With such a distinguished record behind him it was no wonder that he was selected to act as Government Pleader and Public prosecutor, during the absence on leave of Mr. Powell and to act as a Judge of the High Court, during the absence of Sir S. Subramania Iyer in 1905 and of Mr. Justice Davies in 1906. It was also his enviable lot to be the first Indian to be appointed Advocate-General, as permanent incumbent. But he had been in office only for a short time when, on the retirement of Sir Subramanya Aiyar, towards the end of 1907, he was appointed a Judge of

the High Court. It only remains to add that official preferments one after another, are believed to have come to him, not by the favour of the men in power on the spot, but sometimes in spite of them and always in due recognition of his position in Indian public life, his intimate knowledge of Indian affairs and his fearless independence.

As a judge, Sir Sankaran Nair did not attain that level of greatness and distinction which he attained in other spheres and activities. He was remarkably independent and some of his pronouncements are characterised by breadth of outlook and freedom from technicalities and generally upheld progressive rather than reactionary tendencies in laying down rules of law, especially, in dealing with topics of law dealing with social life and rights of women. With his large experience he was a shrewd judge of human nature and was particularly successful in dealing with First appeals and Criminal appeals. In administrative matters too he made his strong personality felt.

Of the work that lies before Sir Sankaran Nair we are full of hope. His aptitudes, and if we may venture to say so his aspirations too, point to it as his proper sphere. We are not unmindful of the limitations besetting his new office. But the portrait drawn by Sir Ali Imam of the lot of the Indian member in the Viceroy's Council does not seem to have disheartened Sir Sankaran Nair and we believe he meant it in earnest when he told us the other day that he looked forward with confidence to his career in the Viceroy's Council. If the Indian member has yet to make himself felt in the moulding of the general policy of the Indian administration, none more fitting can be found to help towards the attainment of that end. As to the special charge assigned to him, his task will be by no means easy, but it is worthy of, and will surely call forth, his best efforts. The country looks forward to the new member's regime with eager expectation. We wish him all success and health and strength to strive for it.

BOOK REVIEWS.

INDIAN DECISIONS (NEW SERIES) *Bengal High Court Reports,* Vol. I. *Law Printing House, Madras.*

After exhausting the Indian Law Reports, Messrs. Venkasamy Rao and Krishnasamy Rao have with commendable zeal, turned to the Bengal Law Reports of which the 1st two volumes appear in the present volume. This series proceeds on the same plan as the Law Reports series and will supply the profession with a reprint of those valuable reports at a moderate price with the additional advantage of notes. After finishing the High Court Reports, it is the ambition of the publishers to print all unreported decisions wherever found. We hope that the profession will extend to the publishers the same ready response as they have done to their earlier ventures.

SANJIVA RAO'S *All India Civil Court Manual. Local Acts United Provinces of Agra and Oudh, 2nd Edn. The Law Printing House.*

The publishers have placed the profession under obligation by making the Acts of U. P. and Oudh accessible to them in a decent up-to-date volume which for its size, seems to be moderately priced.